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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,720	12/15/2000	Stig Halvarsson	03964-14 (6563/6008)	1466

7590 06/09/2004

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EXAMINER

BLOUNT, STEVEN

ART UNIT PAPER NUMBER

2661

DATE MAILED: 06/09/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,720

Applicant(s)

HALVARSSON ET AL.

Examiner

Steven Blount

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to because of the following informalities: the semicolon should be replaced with a colon in line 3. In claim 10, line 3, "even it" is also indefinite. Appropriate correction is required.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month and year of its filing.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, "making it possible to" is indefinite. Also, in line 6, "and without the need" is indefinite.

In claim 3, line 5, "at any time" is indefinite.

In claim 5, line 4, "according to certain rules" is indefinite.

In claim 8, line 2, "and/or" is indefinite.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, and 8 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 5,793,954 to Baker et al.

With regard to claim 1, Baker et al teaches a device that includes a memory for storing software (col 2 lines 42+) wherein the device is useful for parsing a data stream (see abstract, line 4 and also col 2 line 44) under control of a program. While Baker et al does not explicitly teach the software program to be "interchangeable", it says that it is "programmably configurable", which is an obvious variation.

With regard to claim 8, see col 6 line 44 (registers)

With regard to claim 9, RAM such as that discussed in col 6 lines 25 and 45 and used in this application is typically of a stack form.

With regard to claim 10, the code is reusable (note that Ethernet frames are compared, as is discussed in applicants specification).

With regard to claim 11, double ported memory would be an obvious variation of the memory taught in col 6.

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7. Claims 2 - 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 5,793,954 to Baker as applied above, and further in view of U.S. patent 5,966,544 to Sager.

With regard to claim 2, Baker teaches the invention as described above, but does not teach a multiplexable data stream delayline and multiplexing means for connecting different portions of data to the processor. This is taught in Sager. See especially col 3 lines 60+; and also col 7 lines 40+, and figure 6.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Baker with a delay line and multiplexing means for providing different parts of the data stream to the processor, in light of the teachings of Sager, in order to have it selectively available to the processor at the proper time and in the proper quantity.

With regard to claim 3, see how the address location is taught in col 9 lines 1+ and 50+ of Sager.

With regard to claim 4, while the number of bytes in the shift registers taught in col 11 lines 50+ of Baker et al may not be explicitly taught to be 23 shifts deep, the value of 24 is taught in figure 7A, and this is an obvious variation. Further, the choice of 1 byte width is an obvious one in view of the teachings of Baker et al.

With regard to claim 5, see the register file in figure 6, and also see col 9 lines 50+ of sager and also note the use of shift registers in Baker et al.

With regard to claim 6, counting shift registers such as those taught in Baker et al would be needed to keep track of the information flow.

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8. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims, and to correct the 112 second paragraph problem in claim 1 cited above.

9. Examiner Steven Blount may be reached at 703-305-0319 between the hours of 9:00 and 5:30, Monday through Friday.


Ajit Patel
Primary Examiner

SB



5/27/04